

D-8 THE NEWS, FREDERICK, MD., FRIDAY, DECEMBER 20, 1985

ASSIGNEE'S SALE OF VALUABLE IMPROVED FREE SIMPLE PROPERTY

Under and by virtue of the assent to a decree contained in the Mortgage from Charles M. Cargille and Frances J. Cargille, his wife, Royal C. Johnson and Rachel Johnson, his wife, Everett R. Johnson and Elizabeth C. Johnson, his wife unto Loyola Federal Savings and Loan Association dated the 29th day of November, 1976 and recorded in Liber 1004, Folio 727 among the Land Records of Frederick County, Maryland, the holder of the indebtedness as secured by the Mortgage having appointed Raymond A. Brookhart as Assignee for purposes of foreclosure and collection, and default having occurred under the terms of said mortgage and foreclosure of said Mortgage having been decreed by the Circuit Court for Frederick County, Maryland, Equity No. 1533E the undersigned Assignee will offer for sale at public auction on:

MONDAY, JANUARY 6, 1986

11:00 A.M.

AT THE

**FREDERICK COUNTY COURTHOUSE
UNDER THE CLOCK TOWER**

All of the following real estate together with the improvements thereon, described in said Mortgage aforesaid situate, lying and being in Jackson Election District, Frederick County, State of Maryland, and described as all that piece or parcel of land located in said Election District, BEING the portion remaining from the original tract containing 79 acres, 1 rood, and 12 square perches of land, more or less; described in a Deed dated October 25, 1962 and recorded in Liber 675, Folio 428 among the Land Records of Frederick County, Maryland from Everett R. Johnson and Elizabeth C. Johnson, his wife unto Royal C. Johnson and Rachel Johnson, his wife as tenants by the entirety, Frances J. Cargille and Charles M. Cargille, her husband as tenants by the entirety and Harrison E. Johnson and Mary P. Johnson, his wife as tenants by the entirety and also, SAVING and EXCEPTING all those lots or parcels of land previously conveyed to the State Roads Commission of Maryland for the construction of Interstate Route 70 as more fully set forth in Deed unto the State Roads Commission dated July 18, 1969 and recorded August 19, 1969 among the Land Records for Frederick County, Maryland, in Liber 810, Folio 69. BEING FURTHER DESCRIBED as the full tract of land described in the Johnson Deed less the conveyance by the grantors and grantees in said Deed unto Raymond J. Lynch and Eva L. Lynch, his wife dated June 27, 1973 and recorded in Liber 917, Folio 201, one of the aforesaid Land Records containing 19.603 acres of land, more or less, as shown on a Plat of said land dated June 16, 1973, attached to said Deed prepared by J.F. Brown and Associates, Registered Land Surveyors, and also less the tract of land previously taken by the State Roads Commission of Maryland for Interstate 70.

AND, FURTHER BEING DESCRIBED as being part of all that real estate conveyed as aforesaid by Everett R. Johnson and Elizabeth C. Johnson, his wife and Royal C. Johnson et al dated October 25, 1962 and recorded in Liber 675, Folio 428.

BEING part of all that real estate conveyed unto Royal C. Johnson and Rachel Johnson, his wife, Frances J. Cargille and Charles M. Cargille, her husband and Harrison E. Johnson and Mary P. Johnson, his wife to Everett R. Johnson and Elizabeth C. Johnson, his wife by Deed dated October 25, 1962 and recorded in Liber 675, Folio 421, one of the Land Records of Frederick County, Maryland, RESERVING, HOWEVER, unto the said Everett R. Johnson and Elizabeth C. Johnson, his wife, and the survivor of them, a life estate in and to the said property as set forth in said Deed aforesaid, and also being all and the same real estate conveyed by Harrison E. Johnson and Mary P. Johnson, his wife, unto Royal C. Johnson and Rachel Johnson, his wife, and Frances J. Cargille and Charles M. Cargille, her husband by Deed dated September 18, 1976 and recorded among the Land Records of Frederick County, Maryland in Liber 1004, Folio 733.

AND, also being all and the same real estate conveyed by Royal C. Johnson and Rachel Johnson, his wife, unto David E. Aldridge, for the purpose of reconveyance by Deed dated November 29, 1976 and recorded among the Land Records of Frederick County, Maryland, in Liber 1004, Folio 735.

AND, also being all and the same real estate reconveyed by David E. Aldridge unto Royal C. Johnson and Rachel Johnson, his wife, and Frances J. Cargille

and Charles M. Cargille, her husband, by Deed dated November 29, 1976 and recorded among the Land Records of Frederick County, Maryland in Liber 1004, Folio 737. The interest of Rachel R. Johnson having been conveyed unto Frances J. Cargille and Charles M. Cargille, her husband by a Deed of Assumption dated June 10, 1979 and recorded among the Land Records of Frederick County, Maryland in Liber 1095, Folio 141.

SAVING AND EXCEPTING herefrom all that lot or parcel of land conveyed by Royal C. Johnson, Frances J. Cargille and Charles M. Cargille and Elizabeth C. Johnson unto Kenneth E. Huffer by Deed dated December 17, 1980, recorded among the Land Records of Frederick County, Maryland in Liber 1135, Folio 612, said lot or parcel of land containing 19.640 acres more or less, said lot or parcel of land conveyed to the said Kenneth E. Huffer having been released from the lien of the Mortgage of Loyola Federal Savings and Loan Association by a Partial Release of Mortgage from Loyola Federal Savings and Loan Association recorded among the Land Records of Frederick County, Maryland, February 10, 1981 and recorded in Liber 1138, Folio 750, the land and improvements thereon now being known as 2217 Monument Road, Myersville, Maryland 21773.

Everett R. Johnson, one of the life tenants, died on or about December 1, 1977.

The above property is improved by a two-story detached dwelling consisting of living room, dining room, kitchen, three bedrooms and bath.

The property has oil-fired forced hot air heat.

TERMS OF SALE: The above mentioned real property and improvements are to be sold in an "as is" condition, subject to the liens and restrictions of record, if any. A deposit of \$3,500.00 or 10% of the sale price, whichever shall be greater, in Cash, Certified Check, or other instrument acceptable to the Assignee will be required of the purchaser or purchasers to be paid on the date of sale. In the event the purchaser or purchasers fail to consummate the purchase in accordance with the terms of sale, the deposit or any part of it, may be forfeited at the option of the Assignee. The balance of the purchase price is to be paid within 10 days of the ratification of the sale by the Circuit Court for Frederick County, Maryland, unless settlement time is postponed at the sole option of the Assignee, and shall bear interest at the rate of 10% per annum. Sale and settlement subject, however, to IRS 120-day right of redemption arising from a recorded tax lien. Time is of the essence. All risk of loss following the date of sale shall be at the risk of the purchaser or purchasers. In the event of default, the property shall be resold at the cost and risk of the purchaser or purchasers and the Assignee shall not be limited by such forfeiture from further availing himself of any additional legal or equitable remedies arising out of such default. Taxes, water rent and all other public charges and assessments payable on an annual basis, including sanitary and/or Metropolitan District charges, if any, shall be adjusted to the date of sale and assumed thereafter by the purchaser or purchasers. All other costs and expenses of conveyancing are to be borne by the purchaser or purchasers.

There are no representations or warranties express or implied with respect to the condition of the property, title, lot size or the accuracy of any matters referred to in this advertisement.

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